### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 10/526,731

Applicant: van Poppel, et al.

Confirmation No: 5787

Filed: March 4, 2005 Group Art Unit: 1645

Examiner: Jana A. Hines

For: Live Attenuated Parasite Vaccine

Attorney Docket: 2002.017 US

April 22, 2010

## NOTICE OF APPEAL

Mail Stop: AF Commissioner of Patents Alexandria, VA 22313

### Dear Sir/Madam:

Applicants appeal to the Board of Appeals from the November 24, 2009, final Office action.

The Commissioner is hereby authorized to charge the fee (\$540) for the notice of appeal to Deposit Account No. 19-0365. Applicants also request a two-month extension of time for responding to the final Office action, and authorize the Commissioner to charge Deposit Account No. 19-0365 for the corresponding extension fee (\$490). Applicants do not believe that any other fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. 19-0365. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or reimburse such overpayment to Deposit Account No. 19-0365.

Appl. No. 10/526,731 Notice of Appeal and 2 Mo E of T

# Respectfully submitted,

# William M. BLACKSTONE. Registration No. 29,772/ William M Blackstone, Registration No. 29,772 Office of General Counsel – Merck & Co., Inc. Intellectual Property – Animal Health Law Dept. K-6-1, 1990 Schering-Plough Corporation 2000 Galloping Hill Road Kenilworth, NJ 07033

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